

**TOWN OF HAMPDEN  
PLANNING BOARD  
MINUTES**

The meeting of the Hampden Planning Board was called to order at 7:00 p.m. on Wednesday, January 25, 2006, at the Hampden Municipal Building by Acting Chairman David Caliendo.

Attendance: Planning Board Members: Member Acting Chairman David Caliendo, Carrie Meo, Andrew Nelson, Michael Avery, two new members, Peter Frazier, Thomas Cavanaugh, and one new associate member Tony Llerena.

Also in attendance: Town Planner Robert Osborne, recording secretary Rosemary Bezanson along with Applicants for tonight's hearing.

**1. ELECTION OF OFFICERS**

This item was moved to the end of the agenda. (Subsequently, time did not allow getting to this item at tonight hearing). The election of Officers was placed on February's agenda.

**2. APPROVAL OF MINUTES (December 14, 2005)**

This item was moved to the end of tonight agenda. This item will be heard at February's meeting, due to the length and lateness of tonight's meeting.

**3. NEW BUSINESS**

- A. Use/Site Plan Revision – Giles Property Management, LLC – Construction of an 8,000 sq. ft. building with outdoor storage for a service business use and a 1,500 sq. ft. office building located on Nadine's Way (off Mecaw Road) in a Commercial Service District (Tax Map 10, Lot 49-8). – Public Hearing (This lot is co-located in Hampden and Bangor and only 1/3 of the proposed 8,000 sq. ft. building and the outdoor storage area is located in Hampden.**

Acting Chairman Caliendo opened the public hearing, first asking for proponents, opponents then anyone with general questions or comments.

Todd Hardy of MD Hardy spoke as a representative of the applicant. Mr. Hardy stated that this would be an 8,000 sq. ft. building with 1/3 of the outdoor storage area in Hampden, and the remainder in Bangor. Bangor's planning board approved this application at their last planning board meeting. (see attached letter)

As no one else wished to speak Chairman Caliendo closed the Public Hearing and asked for staff comments.

Bob Osborne, Town Planner stated that the conditional use is in the commercial service district is any outdoor storage of 5000 square feet or more. Outdoor storage will be mostly under a lean-to area which is attached to the back of warehouse.

This is the first lot to be development in the new Mecaw Road business park, approved this summer by the planning board.

The outside storage was described in a little more detail for the board. Mr. Osborne indicated that the conditional use outdoor storage met the standards governing conditional uses and that the site plan met the standards governing site plan review. Staff recommended that the Board approve both the conditional use and the site plan application.

Member Avery made a motion to approve the conditional use and this motion was seconded by Member Cavanaugh. The vote was seven in favor and none against the motion to approve conditional use.

Member Avery made a motion to approve the site plan review under article 4.1, as submitted. Member Cavanaugh seconded the motion. The vote was seven in favor and none against the motion to approve the site plan.

**B. Conditional Use/Site Plan Review – Cafua Management Co. – Construction of a 2,021 sq. ft. Dunkin Donuts restaurant with a drive-thru located at 76 Main Road North (currently the Big Apple convenience store) in a Village Commercial District (Tax Map 32, Lot 22). – Public Hearing**

Acting Chairman Caliendo opened the public hearing, asking for proponents, opponents, than anyone with general questions or comments.

Tim Woodcock, Esq. of Eaton Peabody of Exchange Street in Bangor spoke as a representative for the applicant. The traffic permit from DOT has been issued. Mr. Woodcock spoke to each article in the zoning ordinance that pertained to this application. He stated they have met the required guidelines of the zoning ordinance for the Town of Hampden. Mr. Woodcock also introduced the other members of his team representing Cafua Management. Tony Decosta of Cafua Management, Scott Braley, and Jodi O'Neil, are with Plymouth Engineering, Andrew Hamilton of Eaton Peabody, Brett Hart of J.W. Sewall Company, Brett is here as the traffic engineer. Mike Waugh did the detailed traffic engineering on this project but could not be present for tonight's meeting.

Raymond McGeechan of 29 West Elm Street spoke in opposition of the application, stating that there is already a traffic problem in the school hours. Mr. McGeechan stated the problem with parking on the corner at Scissor Excitement. He also stated that this is a historical district. Mr. McGeechan submitted a written letter to the planning board for the record.

Marvin Nutter owner of the Coffee Break Bakery also spoke in opposition of the application. Mr. Nutter passed around picture showing other Dunkin Donuts in Bangor and surrounding area, showing the traffic overflowing the site developments.

Steve Nutter, Manager of the Coffee Break Bakery questioned DOT's findings in issuing

the traffic permit. He asked when the traffic study was issued; asking if school was in session at the time that DOT issued the permit.

Acting Chairman Caliendo stated that a copy of the DOT permit is at the town office for the public to view.

Donna Fransen of Piper Wood Road had some questions about whether the gas station (Big Apple), at the proposed Dunkin Donut's site, presently meets the zoning ordinance for the town.

William Barron, land abutter to the proposed site, spoke about the traffic problem in the area. Mr. Barron stated they already have a problem getting out their driveway. Their vision is blocked by big trucks when they are trying to get out their driveway.

Donna Della, and Denise Clark spoke in favor of the application. They stated that a Dunkin Donuts in Hampden would create jobs, and be good for the town.

Don Darling of Murphy Lane asked what other locations were considered for the proposed Dunkin Donuts.

William Barron asked what the hours would be for Dunkin Donuts be operating, would it be a 24/7 operation.

Debbie Tardiff spoke in favor of the application, stating that the applicant run a nice clean site, with a clean facility.

Acting Chairman Caliendo closed the public hearing.

Brett Hart of James W. Sewall Company spoke at length about the traffic study, answering questions from the Planning Board.

This application was table to the next regularly scheduled planning board meeting. The staff would like more time to look at the traffic study.

Member Avery made a motion to table this application; this motion was seconded by Member Cavanaugh. The vote to table the application was seven in favor and none against the motion.

**C. Conditional Use/Site Plan Review – Gary Bickford – Construction of a 12,200 sq. ft. automobile service business with outdoor storage located at 637 Main Road North in a Commercial Service District and Resource Protection District (Tax Map 28, Lot 16). Public Hearing**

Acting Chairman Caliendo opened the public hearing, asking for opponents, then proponents, then anyone with questions or comments.

Jim Wilson of Woodard and Curran spoke for the applicant. He stated that this business was destroyed in a recent fire and they are looking for re-build the facility. Mr.

Wilson stated that there are two variances on the property due to set back restrictions. The eagle nesting area was also discussed.

Acting Chairman Caliendo closed the public hearing.

The Board had some questions about the emergency vehicle access around the building.

This proposed building will be sprinklered; and meet all the new fire and safety regulations.

Member Avery made a motion that the application meets conditional use guide lines; with the condition that there is adequate fire and emergency vehicle access, and the new plan reflects the plantings. This motion was seconded by Member Cavanaugh with the stipulated conditions. The vote on this motion was seven in favor and none against.

Member Avery made a motion to approve the site plan. This motion was seconded by Member Llerena. The vote was seven in favor and none against this motion to approve the site plan.

**D. Conditional Use/Site Plan Review – Vaughn Thibodeau & Sons, Inc. – Request for mineral extraction of a 9.4 acre area to extract approximately 600,000 cubic yards of rock material over a six year period. The application also includes a reclamation plan. The site is located off Ammo Park Drive in an Industrial 2 District (Tax Map 10, Lots 61 and 56-3). – Public Hearing**

This application was tabled, until the next regularly scheduled planning board meeting.

**E. Subdivision Sketch Plan – Linda Williams – Request for Sketch Plan review of a 3-lot, 40 acre Rural District residential subdivision with no public improvements located on the south side of Kennebec Road next to 449 Kennebec Rd. (Tax Map 5, Lot 81)**

Acting Chairman Caliendo asked to hear from the applicant on the proposed subdivision sketch plan.

Linda Williams spoke to the board members about the sketch plan. She stated that this is a 3 lot subdivision with no public improvements.

Member Llerena made a motion to classify this subdivision as a minor subdivision, Member Meo seconded this motion. The vote was seven in favor and none against the motion to classify this subdivision as a minor subdivision.

**F. Subdivision Sketch Plan – Webber Brook, LLC – Request for sketch Plan Review of a 37-lot, 115 acre Rural District residential cluster subdivision (Hawthorne Ridge Subdivision, Phase 2) with public improvements including an extension of Dunton Circle (a town street) located off Western Avenue on Dunton Circle (Tax Map 8, Lot 20 & 20A)**

Steve Ribble of Ames Corporation spoke for the applicant, Webber Brook LLC. Mr. Ribble stated that this is phase II of Hawthorne Ridge with 37 proposed lots on 115 acres. This proposal is a cluster subdivision with 38 acres of open space.

Member Avery made a motion to classify phase II of Hawthorne Ridge as a major subdivision, with the un-named road as a minor street, and the continuation of Dunton Circle as a collector, this motion was seconded by Member Llerena. The vote was seven in favor and none against this motion.

**G. Subdivision Sketch Plan – Peter Michaelson – Request for Sketch Plan review of a 14-lot, 50 acre Rural district residential cluster subdivision with public improvements including a town street located on west side of Carmel Road North and the south side of Piper Woods Road (tax map 1, lot 27)**

Acting Chairman Caliendo asked to hear from the applicant on this proposed sketch plan.

Jim Kiser of Kiser and Kiser spoke for the applicant on this proposal. Mr. Kiser stated that this is a 14 lot, cluster subdivision with public improvements.

The wetlands were discussed with the applicant. Drainage, open space and lot fourteen's frontage was discussed as well. Lot number one was discussed about access over the wetlands. It was noted that the open space may not qualify for cluster standards. It was also noted that the soils appeared marginal based on the materials provided in the pre-application. The Board indicated that the plan as proposed would be a major subdivision with a minor street.

**4. STAFF REPORT**

**5. BOARD MEMBERS CONCERS**

**6. ADJORNMENT**

Due to the lateness of the hour, the election of officers, and approval of the minutes was moved to the next planning board meeting, February 8<sup>th</sup> 2006.

The Planning Board meeting adjourned at 10:45 p.m.

Respectfully Submitted,

Michael Avery, Secretary